

TOWN OF BOW MAR, COLORADO
BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING ON MAY 16, 2011

CALL The regular meeting of the Board of Trustees of the Town of Bow Mar was called for Monday, May 16, 2011, Mayor Rick Pilgrim presiding. The meeting was held at No. 2 Middlefield Road, Columbine Valley, Colorado.

A quorum was declared present at 7:02 p.m.

PRESENT	Mayor	Rick Pilgrim
	Trustees	Merle McKittrick
		John Giese
		Gary Guilford
		Elizabeth Tulloch
		Carrie McLaughlin
		Rick Wilkins
	Attorney	Hugh Gottschalk- absent
	Clerk/Treasurer	Karen Reutzel
	Police Chief	Greg Bowman for Bret Cottrell
	Citizens	J.M. Fay, Arapahoe County resident

Mayor Pilgrim led the group in the Pledge of Allegiance. The April Minutes and Treasurer's Report were approved. McLaughlin/Giese/Unanimous.

Public Comment J.M. Fay, a resident of the Four Square Mile neighborhood, attended the meeting and urged the Board to support her request that the Arapahoe Library District provide priority library access to Arapahoe County residents. She is concerned that her local library facilities are being overused by non-Arapahoe County residents. She submitted a letter for the Board's further review. The Board agreed to take the issue under advisement.

Variance Request Commissioner Elizabeth Tulloch presented for first consideration a request for a variance for the residence located at 5161 Lakeshore Drive. The residents, Michael and Carrie McLaughlin, are requesting a variance of 8 feet into the front setback of the house toward the street in order to build a new 625 square foot two- car garage. The Board discussed the grounds for the variance and alternatives that had been explored with the homeowners. The request will be noticed in the June Bulletin, posted at the home site and a public hearing held at the June meeting. It was discussed that a super-majority vote is required for variances, and that Commissioner Carrie McLaughlin will abstain from the vote.

Commissioner Reports

Public Safety Commissioner Gary Guilford and Police Sgt. Greg Bowman reported that there were 106 summons issued in April including 37 in Bow Mar, and 26 Bow Mar calls for service. There was another car break-in and Sgt. Bowman again urged residents to keep valuables out of cars and to keep cars locked. There were several citations surrounding a

juvenile party held in Town. There have also been issues with solicitors in Town – Bow Mar has a no soliciting ordinance and the police are working to keep them out. Sgt. Bowman also reported on the condition of Police Chief Bret Cottrell's wife who is in the hospital in grave condition and unfortunately not expected to survive.

Finance Commissioner John Giese reported on the financial state of the Town to date. As of the end of April, year-to-date revenues are ahead of budget. The Town has collected 40% of Arapahoe County taxes and 51% of Jefferson County taxes. Expenditures are at 33% of budget for the year, but some seasonal expenses are expected to pick up with the spring and summer months. The Board approved the April financial statements. Tulloch/McKittrick/Unanimous.

Building Commissioner Elizabeth Tulloch reported that a permit was issued for the construction of a new home on Juniper, with a second one expected on Redwood. Permits were granted for a number of smaller projects, and there are also a number of smaller projects in the works. Commissioner Tulloch discussed approval for building inspector Terry Weiss to take a class regarding building code and permit issues in an amount not to exceed \$500. The Board favored this idea so long as Mr. Weiss will be doing the job for the near future and the Town is happy with his work. Ms. Tulloch and others spoke favorably about the work he has been doing as an inspector. She also explained that David Gates does inspection when Terry Weiss is a contractor on a Town project and has a conflict.

Parks & Recreation Commissioner Carrie McLaughlin reported that the Town participated in Beach Clean-up Day and several projects were accomplished. Mr. Tan is working on an irrigation line that runs under the road near the Belleview traffic circle.

Public Works Commissioner Merle McKittrick reported that he is working with Metro Pavers to have potholes around Town repaired.

Intergovernmental Commissioner Rick Wilkins sought a substitute to attend this month's DRCOG meeting which he is unable to attend. Mayor Rick Pilgrim reported that he did not believe there was anything of substance on this month's agenda, but a substitute will be provided if that is not the case. Mayor Pilgrim also discussed the Sterling Ranch development approval which he opposed on the basis of the amount of traffic that would be generated by 12,000 new homes and potential impacts to US 85/Santa Fe Drive.

Clerk Comments Town Clerk Karen Reutzel reported that the annual Audit of the Town's financial statements is in process. She attended the Arapahoe County meeting for elections in April, in the event the Town has an issue for a November ballot. Deadlines for a November election were briefly discussed.

The next regular meeting of the Trustees will be held June 20, 2011.

Attorney Comments Town Attorney Hugh Gottschalk was away on business.

Mayor's Report Mayor Rick Pilgrim will be attending the Transit Alliance meeting in May and is hoping to get the group re-energized. Over the next few years he is expecting to see a dialogue among various jurisdictions concerning ways to increase funding to maintain roadways.

DRCOG will start paying attention to this issue, as will the recently formed C-470 Coalition. He has been attending the Coalition Policy Committee meetings.

BMOI Report BMOI President Jane Carlson thanked everyone for participating Beach Clean-up Day. She reported that the new landscaping project at the Beach is 95% completed, and some big trees were planted this week. Weston Landscaping has done a great job and they've gotten some good feedback on the project from BMOI members. The BMOI Board is now working on a maintenance plan for the new facility. The Beach is open and the lifeguards are now working. She thanked Commissioner Rick Wilkins for arranging for the free trash dumpsters from Allied Waste. A sizeable anonymous donation was made for a new lifeguard chair and trash receptacle.

Ms. Carlson further reported that the BMOI Board has decided not to amend the covenants to allow chicken hens and intends to enforce the current covenants. However, the BMOI Board has granted the chicken proponents 4 months until Labor Day to try to amend the covenants employing their own time and funds. If they don't succeed, the BMOI Board will ask them to remove the chickens. Many residents have told the BMOI Board that they want them to enforce the covenants.

Commissioner Tulloch stated that it was further reported at the last BMOI meeting that there has been trespassing on the King Property recently, including fires on the property and individuals shooting birds. There have been similar reports of such activity on the Audubon/Gallagher property. Declining BMOI membership among senior members was also discussed.

Old Business:

King Property Development Update – Mayor Pilgrim reported that the Town is still awaiting a response from the developer to the Town's last round of comments on the King Estates preliminary plat application. The developer did add more funds to the escrow account which was established to offset the cost of professional review of the application package.

Long Range Road Plan Update - Commissioner McKittrick reported on a citizen review committee that he convened to meet with Town Engineer Jim Godwin of Vision Land Consultants to discuss their initial findings on the condition of the Town's roads. Among other matters, it was reported that the varying thickness of the asphalt and the high moisture content of the subgrade creates problems with long-term road maintenance. Based on the initial engineering reports after test hole samples were taken, full reconstruction of all roads in Town to achieve at least 6.5 inches of asphalt and moisture controlled subgrade was recommended by the geotechnical engineer. This option would cost a substantial amount to do the work properly – up to four million dollars. The review group directed the Town Engineer to study whether other lower costs options are available. Subsurface moisture content and drainage issues, including proper operation of ditches and culverts, would need to be addressed in a comprehensive plan. Increased home sizes and new paving on private property over the years has resulted in more water flowing off roofs. Some homeowners are irrigating the right of way up to the road which further increases subsurface moisture content. The study revealed that our traffic count is still moderately low. Nevertheless, trash trucks and school buses require 6.5 inches of asphalt on the

clay subgrade to support their weight. The committee plans to hold a follow-up meeting in two weeks. It was discussed that a Town informational meeting on the road issue might be planned as early as June. An announcement will be placed in the Bulletin if a June informational meeting is planned. A very general discussion ensued concerning the various methods of funding a road project (pay as you go versus issuing bonds) and the advantages and disadvantages of each.

Third Reading and Discussion regarding Proposed Ordinance to Permit Keeping of Live Chickens at Residential Properties in Town

The Board discussed whether it wanted to continue with the process of amending the Town's ordinances regarding the keeping of chickens given that the covenants also need to be amended. The Board was inclined to wait while the residents interested in keeping chickens pursue the covenant amendment. A motion was made to consider the revised ordinance provided by Town Attorney Gottschalk. Guilford/Giese. Prior to a vote, a second motion was made to table the motion, which motion was approved. Tulloch/Wilkins/Unanimous.

Discussion and Possible Action to Approve Proposed Allied Waste Franchise Agreement.

Commissioner Wilkins presented his report regarding due diligence performed on the proposed trash hauling contract with Allied Waste. He compiled a report on the trash contracts employed by a number of Colorado jurisdictions for comparison. The question was whether the Town should impose some sort of additional fee on Allied Waste for roadway wear-and-tear in addition to the proposed contract cost. The Board determined that it would be preferable to pass the entire cost savings of the new contract to the Town's residents rather than to add-on additional charges. The Board approved a motion to authorize Commissioner Wilkins to proceed with drafting a final contract with Allied.. McKittrick/Giese/Unanimous. Under the new contract, residents will be billed directly for trash service by the company. The final contract will be brought back to the Board for final review at the June meeting.

Study Committee Report re: Net Asset Decline

Commissioners Wilkins and Giese presented their re-categorized budget format which now shows a breakdown of expense and recurring revenue categories only. Non-recurring revenues (such as building permit revenue) would be shown separately from the operating budget. The plan is to use non-recurring revenue to fund a reserve account to be drawn on as needed to balance shortfalls in the operating budget. The Board noted that they liked the new format and that it should be implemented moving forward for the next budget cycle.

New Business

Commissioner McLaughlin reported she has prepared a landscape plan for the end of Bow Mar Drive where it dead ends to the west near the Marston water treatment facility. Although that area is a dead end, some have mistakenly concluded that the road continues through to Quincy. The plan, which has a \$1,500 budget from the Bow Mar Water and Sanitation District, includes moving some existing boulders to create a visual barrier. The boulders could be moved if maintenance workers need to access the area again in the future.

Adjournment There being no further business the meeting was adjourned at 10:08 p.m. Guilford/Giese//Unanimous. The next Regular Meeting is scheduled for June 20, 2011 at No. 2 Middlefield Road, Columbine Valley, CO. The meeting will begin at 7:00 p.m.



Richard D. Pilgrim, Mayor



Karen V. Reutzel, Town Clerk and Treasurer